



Public Comment Form

Cascade County Public Works Department Planning Division
121 4th St N, Suite 2H-2I
Great Falls, MT 59401

Phone: 406-454-6905

Fax: 406-454-6919

Instructions

This form is for providing public comment to the Cascade County Planning Division for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form.

Commenter Information

Name: Mike + Deborah Jenkins

Complete Address: 298 Hastings Road, Sand Coulee, MT 59472

Comment Subject (please check one)

- ☐ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☐ Other (describe): _____

Comment

See Attached

For Office Use Only

Date Received: <u>3-2-19</u>	Date Reviewed: <u>3-4-19</u>	Complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Date: 3/2/2019

To: Cascade County Planning Board; planningcomments@cascadecountymt.gov

From: Michael and Deborah Jenkins; 298 Hastings Road, Sand Coulee, MT 59472

Re: Public Comment: Part I of II.

We wish to submit our following comments for consideration while reviewing the proposed Cascade County zoning changes:

1. We both are life-long residents of Cascade County, own a small property east of Great Falls in which we reside and farm, work here and pay local taxes, and have a strong interest in seeing our community maintain and improve our healthy, safe, and prosperous environment.
2. We would like to note our appreciation for having a planning board involved in the process and that you are ensuring that public input is solicited, heard, and considered. We are glad to know that the process includes checks and balances like this for best results.
3. We thank you for listening to the public and scheduling the next meeting in the evening and in a larger venue.
4. We applaud the Cascade County Planning Department staff for their efforts to initiate this review and we do believe changes are necessary.
5. We would like to give you a little background on our involvement with zoning change efforts.
 - a. We became more involved with reviewing Cascade County zoning issues in 2017 when a bordering property owner made requests for a special use permit.
 - b. We are a part of a large group of our neighbors and friends that have come together to review Cascade County zoning and processes. Our group has adopted the name Montanan's for Responsible Land Use (MFRLU).
 - c. We have retained an experienced land use expert and together we have been researching our county zoning regulations, the growth policy, and best practices. We have been in continual contact with the planning department staff, county attorney, and commissioners. Through our research, we developed a zoning solution and have been attempting to collaborate with the planning department staff for their expert input and guidance, unfortunately to no avail. Our group met with staff in November and shared our preliminary drafted application to request these changes. We mistakenly thought they would be able to review our suggestions and offer input, however that was not the case, so we finalized and submitted our application on January 17th and requested a pre-application meeting. On February 7th, we met with the planning staff for the pre-application meeting and again we misunderstood that this would be a meeting where they could tell us if our application had covered all the bases and included everything that they would need to support the application content. We found out at that meeting that they do not review anything until the fee is received, at which point that would start the review process. We did not submit the fee payment yet for a few reasons. First, we wanted to be able to correct and add any additional information that the staff needed and didn't think we

could make any changes once the fee was paid. Second, it is unclear if we need to pay the fee when it is our understanding that a bordering land owner did not have to pay a fee upon their requested changes. Third, the staff made public their own proposal on January 18th, without submitting an application nor paying the fee. These factors are confusing the process logic of why we would then need to pay the fee.

- d. Because the staff made it clear that they would not be able to get to our application for an unforeseen amount of time due to their time commitment required to spend towards their proposal as well as the length and complexity of our application content, we have not submitted the fee payment to proceed with our application and instead decided to publicly commenting on their application.
- e. In order to determine what we think is the best solution for the county, we are comparing their proposal to our proposal and will submit a detailed summary in a Part II. We plan to get that to you within a few weeks.

Thank you for allowing for public input and considering it.



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Commenter Information

Name: TAMMIE LYNNE SMITH

Complete Address: 397 HIGHWOOD ROAD, GREAT FALLS, MT 59405

Comment Subject (please check one)

- ☐ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☒ Other (describe): 2019 Draft Zoning Regulations Versions 1.0 through 3.99

Comment

TO: PLANNING STAFF, PLANNING BOARD, COUNTY ATTORNEY

I have reviewed the Draft Zoning Regulations and the Staff Report in support of the changes prepared for the Planning Board.

I discovered that the 2019 Draft Zoning Regulations, published on the Planning Division website, are dated October 2018 and labeled V4.1. Typically V4.1 indicates Version 4.1.

1. What is the history of the Draft Zoning Regulations?

2. Are copies of Versions 1.0 through 3.99 available?

3. Are there specific public document files for Versions 1.0 through 3.99 of the Draft Zoning Regulations?

In a meeting with Ian Payton and Michael Stone on February 07, 2019 regarding a separate public initiated Zoning Amendment Application, and in the Staff Report prepared for the Planning Board Hearing, the planning division indicates that the proposed zoning regulation changes are "staff initiated." Section 14 of the current zoning regulations confirm that zoning amendments may be initiated by the Planning Division but does not exclude the Planning Division from following the necessary steps including the preparation of the formal Application for Amendment and it's extensive analysis. The Application for Amendment is designed to support and clarify the need for a specific zoning amendment. Requirements include legal descriptions for boundaries of proposed districts, descriptions of existing land use of neighboring areas, anticipated impact on neighboring properties, and specific details to support the criteria, goals, and objectives of the Cascade County Growth Policy. The staff report prepared by the planning division does not provide the analysis of each proposed zoning change. I believe the planning division should prepare more detailed analysis.

For Office Use Only

Date Received: 3-6-19

Date Reviewed: 3-7-19

Complete: ☒ Yes ☐ No



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Commenter Information

Name: TAMMIE LYNNE SMITH

Complete Address: 397 HIGHWOOD ROAD, GREAT FALLS, MT 59405

Comment Subject (please check one)

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☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☒ Other (describe): 2019 Draft Zoning Regulations & Cascade County Growth Plan

Comment

TO: PLANNING STAFF, PLANNING BOARD, COUNTY ATTORNEY

I have reviewed the Draft Zoning Regulations, the Staff Report, and the 2014 Adopted Cascade County Growth Plan.

I am opposed to the 2019 Draft Zoning Regulations because the Cascade County Growth Plan has not been revised or updated in accordance with the requirements of MCA 76-1-601 (3)(f) prior to the substantive proposed changes.

Cascade County's Growth Policy, adopted on May 27 2014 and in accordance with MCA 76-1-601, "serves as a comprehensive plan to provide guidance on decisions regarding land development and public investments." The Growth Policy is implemented through regulatory tools including the Cascade County Zoning Regulations.

MCA 76-1-601 sets forth the criteria for Growth Policies that include community goals and objectives, inventories of the characteristics of the jurisdictional area, projected trends, strategies for development, and more. Of particular interest is MCA 76-1-601 (3)(f)(iii) which requires a timetable for reviewing the Growth Policy at least once every 5 years and revising the policy if, and when, necessary. Page 10-1 of the Cascade County Growth Policy states the same. It is March 2019, nearly 5 years since the adoption of the current Growth Policy. When asked if the Growth Policy has been reviewed in accordance with the Timetable and Process on page 10-1, County Planners said "no." MCA 76-2-203 sets forth criteria and guidelines for Zoning Regulations. 76-2-203 (1)(a) states "Zoning regulations must be made in accordance with the Growth Policy." Zoning Regulations exist to implement the Growth Policy. The Staff Report Appendix B justifies the elimination of Agricultural zones and the implementation of MU-20 and MU-40 zones citing a few objectives of Growth Policy Goals 1, 5, 9, and 11. What of Goal 2 protecting rural character and relationship with natural resources? Or Goal 3 maintaining our agricultural economy? I believe the Growth Policy is overdue for review. The review of the Growth Policy should occur, and changes adopted, prior to consideration of extensive zoning changes.

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Date Received:

3-8-19

Date Reviewed:

3-8-19

Complete:

☒ Yes

☐ No